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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE:
PETITION OF JENNIFER GRANICK AND
RIANA PFEFFERKORN TO UNSEAL
TECHNICAL-ASSISTANCE ORDERS AND
MATERIALS

MISC. CASE NO.: 16-mc-80206-PJH
STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME TO FILE
OBJECTIONS TO MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION

Petitioners Jennifer Granick and Riana Pfefferkorn and interested party the United States Attorney's Office for the Northern District of California hereby stipulate pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12 to a Court order granting an extension of time to file objections to Magistrate Judge Kandis A. Westmore's December 18, 2018 Report and Recommendation to Deny Petition. This Stipulation is based on the Declaration of Jennifer S. Granick filed herewith. A Proposed Order granting the stipulated extension of time is attached below.

RELEVANT PROCEDURAL HISTORY

On September 28, 2016, Petitioners Jennifer Granick and Riana Pfefferkorn filed a petition to unseal technical assistance orders and materials, including all applications, motions, opposition briefs, orders, and/or warrants filed under the Wiretap Act, the Stored Communications Act, the Pen Register Act, and/or the All Writs Act. (Petition at 1, Dkt. No. 1.) On December 18, 2018, Magistrate Judge Westmore issued a Report and Recommendation to deny the petition. (Dkt. No. 58.) In addition, she ordered the matter transferred to Your Honor, Chief Judge Hamilton. (Dkt. No. 59.)

ARGUMENT

All interested parties must file any objections to the report and recommendation with this Court within fourteen days of service. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); Civil L.R. 72-3. Failure to file objections within the specified time may waive the right to appeal the district court's order. *IEW Local 595 Trust Funds v. ACS Controls Corp.*, No. C-10-5568-EDL, 2011 WL 1496056, at *3 (N.D. Cal. Apr. 20, 2011). The current deadline to file objections is January 2, 2019.

The winter holidays are quickly approaching. Previously scheduled vacations, family trips, and office closures mean there are very few working days between now and January 2 for Petitioners and government attorneys to draft and file any objections. *See* Declaration of Jennifer S. Granick in Support of Stipulation Requesting Extension of Time to File Objections to Magistrate's Report and Recommendation, ¶5. Because there has been only one previous time modification of a filing deadline in this case (Dkt. No. 14), and because the requested time

1 modification would not affect the schedule for this case, we respectfully request that this Court
2 extend the time to file objections to January 16, 2019.

3
4 Respectfully submitted,

5 Dated: December 20, 2018

/s/ Jennifer Stisa Granick
JENNIFER STISA GRANICK (SBN 168423)
RIANA PFEFFERKORN (SBN 266817)

7 *Pro Se* Petitioners

8
9 Dated: December 20, 2018

/s/ Kyle Waldinger
KYLE WALDINGER (SBN 298752)

11 Attorney for Interested Party United States of
12 America

13 **[PROPOSED] ORDER**

14 The deadline to file objections to Magistrate Judge Westmore's Report and
15 Recommendation in this matter shall be extended to January 16, 2019.

16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

17
18 Dated: _____, 2018

HONORABLE PHYLLIS J. HAMILTON
CHIEF UNITED STATES DISTRICT JUDGE